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IFW#

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/795,966	03/08/2004	Gary Marshik	BSI - 036

021323
TESTA, HURWITZ & THIBEAULT, LLP
HIGH STREET TOWER
125 HIGH STREET
BOSTON, MA 02110



CONFIRMATION NO. 8628

FORMALITIES LETTER



OC000000012785424

Date Mailed: 05/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$194 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1094 for a Large Entity

	08/02/2004 MAHME1	00000076	10795966
• \$770 Statutory basic filing fee.	01 FC:1001		770.00 OP
• \$130 Late oath or declaration Surcharge.	02 FC:1201		86.00 OP
	03 FC:1202		108.00 OP
	04 FC:1051		130.00 OP

- Total additional claim fee(s) for this application is **\$194**
 - **\$86** for **1** independent claims over 3.
 - **\$108** for **6** total claims over 20.

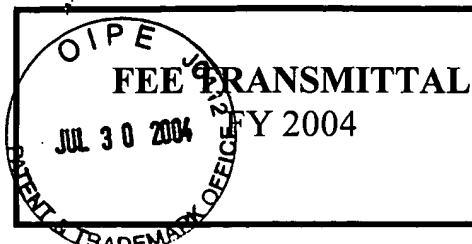
Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Complete if Known	
Application Serial Number	10/795,966
Filing Date	March 8, 2004
First Named Inventor	Marshik
Group Art Unit	3634
Examiner Name	Not Assigned
Attorney Docket No.	BSI-036

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																								
1. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	3. ADDITIONAL FEES <table style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Large Entity Fee (\$)</th><th style="width:15%;">Small Entity Fee (\$)</th><th style="width:40%;">Fee Description</th><th style="width:30%;">Fee Paid</th></tr> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>Request for ex parte reexamination</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2010</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>770</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>770</td><td>385</td><td>For each additional invention to be Examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>100</td><td>100</td><td>Certificate of Correction for Applicant's error</td><td></td></tr> <tr><td>110</td><td>55</td><td>Submission of Terminal Disclaimer</td><td></td></tr> <tr><td colspan="2">Other fee (Specify)</td><td></td><td></td></tr> <tr><td colspan="2">Other fee (Specify)</td><td></td><td></td></tr> <tr> <td colspan="2"></td><td style="text-align: right;">SUBTOTAL (3)</td><td>(\$) 130.00</td></tr> </table>	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath	130.00	50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1480	740	Extension for reply within fourth month		2010	1005	Extension for reply within fifth month		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		130	130	Petitions to the Commissioner		180	180	Submission of Information Disclosure Statement		770	385	Filing a submission after final rejection (37 CFR 1.129(a))		770	385	For each additional invention to be Examined (37 CFR 1.129(b))		100	100	Certificate of Correction for Applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)				Other fee (Specify)						SUBTOTAL (3)	(\$) 130.00
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2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531. <input type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.																																																																																									
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FEE CALCULATION 1. FILING FEE <table style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Large Entity Fee (\$)</th><th style="width:40%;">Fee Description</th><th style="width:45%;">Fee Paid</th></tr> <tr><td>770</td><td>Utility filing fee</td><td>770.00</td></tr> <tr><td>340</td><td>Design filing fee</td><td></td></tr> <tr><td>160</td><td>Provisional filing fee</td><td></td></tr> </table> <table style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Number Filed</th><th style="width:15%;">Number Extra</th><th style="width:15%;">Rate</th><th style="width:55%;">Amount</th></tr> <tr> <td>Total Claims</td><td>26</td><td>- 20 = 6</td><td>x \$ 18.00 = 108.00</td></tr> <tr> <td>Independent Claims</td><td>4</td><td>- 3 = 1</td><td>x \$ 86.00 = 86.00</td></tr> <tr> <td colspan="3"><input type="checkbox"/> Multiple Dependent Claim(s), if any</td><td>\$290.00 =</td></tr> <tr> <td colspan="3" style="text-align: right;">TOTAL:</td><td>964.00</td></tr> <tr> <td colspan="3" style="text-align: right;">SMALL ENTITY DISCOUNT:</td><td></td></tr> <tr> <td colspan="3">SUBTOTAL (1)</td><td>(\$) 964.00</td></tr> </table> 2. AMENDMENT CLAIM FEES <table style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Claims Remaining After Amend.</th><th style="width:15%;">Highest No. Previously Paid For</th><th style="width:15%;">Present Extra</th><th style="width:15%;">Rate</th><th style="width:40%;">Fee Paid</th></tr> <tr> <td>Total</td><td>-</td><td>=</td><td>x \$ 18.00 =</td><td></td></tr> <tr> <td>Indep.</td><td>-</td><td>=</td><td>x \$ 86.00 =</td><td></td></tr> <tr> <td colspan="3"><input type="checkbox"/> First Presentation of Multiple Dep. Claim</td><td>+ \$290.00 =</td><td></td></tr> <tr> <td colspan="3" style="text-align: right;">TOTAL:</td><td>(\$)</td><td></td></tr> <tr> <td colspan="3" style="text-align: right;">SMALL ENTITY DISCOUNT:</td><td>(\$)</td><td></td></tr> <tr> <td colspan="3">SUBTOTAL (2)</td><td>(\$) 0.00</td><td></td></tr> </table>	Large Entity Fee (\$)	Fee Description	Fee Paid	770	Utility filing fee	770.00	340	Design filing fee		160	Provisional filing fee		Number Filed	Number Extra	Rate	Amount	Total Claims	26	- 20 = 6	x \$ 18.00 = 108.00	Independent Claims	4	- 3 = 1	x \$ 86.00 = 86.00	<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$290.00 =	TOTAL:			964.00	SMALL ENTITY DISCOUNT:				SUBTOTAL (1)			(\$) 964.00	Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid	Total	-	=	x \$ 18.00 =		Indep.	-	=	x \$ 86.00 =		<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$290.00 =		TOTAL:			(\$)		SMALL ENTITY DISCOUNT:			(\$)		SUBTOTAL (2)			(\$) 0.00		<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td><td style="width:40%; text-align: right;">SUBTOTAL (1)</td><td>964.00</td></tr> <tr> <td></td><td style="text-align: right;">SUBTOTAL (2)</td><td>0.00</td></tr> <tr> <td></td><td style="text-align: right;">SUBTOTAL (3)</td><td>130.00</td></tr> <tr> <td colspan="2" style="text-align: right;">TOTAL</td><td>(\$) 1094.00</td></tr> </table>		SUBTOTAL (1)	964.00		SUBTOTAL (2)	0.00		SUBTOTAL (3)	130.00	TOTAL		(\$) 1094.00	
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CORRESPONDENCE ADDRESS Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower-125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	SIGNATURE BLOCK <div style="text-align: right;">Respectfully submitted,</div> <div style="text-align: center;"> John V. Forcier Attorney for the Applicants Testa, Hurwitz & Thibault, LLP 125 High Street Boston, MA 02110 </div> <div> Date: July 28, 2004 Reg. No. 42,545 Tel. No.: (617) 248-7675 Fax No.: (617) 248-7100 </div>																																																																																								



TRANSMITTAL FORM

Application Serial Number	10/795,966
Filing Date	March 8, 2004
First Named Inventor	Marshik
Group Art Unit	3634
Examiner Name	Not yet assigned
Attorney Docket No.	BSI-036
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

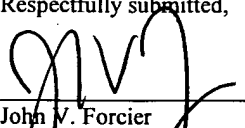
ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input checked="" type="checkbox"/> Formal Drawings (4 pages) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure (please identify below) <input checked="" type="checkbox"/> Transmittal of Formal Drawings (1 pg.) <input checked="" type="checkbox"/> Supplemental Application Data Sheet (3 pgs.) <input checked="" type="checkbox"/> Patent Practitioners of Record Under 37 CFR § 1.32(c)(3) (1 pg.)
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CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

John V. Forcier
Attorney for the Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

Date: July 28, 2004
Reg. No. 42,545
Tel. No. (617) 248-7675
Fax No. (617) 248-7100



PATENT
Attorney Docket No. BSI-036
(354/73)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Marshik et al.	CONFIRMATION NO.	8628
APPLICATION NO.:	10/795,966	GROUP NO.:	3634
FILING DATE:	March 8, 2004	EXAMINER:	Not yet assigned
TITLE:	Balance Shoe for Tilt-In Window Sashes		

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Attached please find the formal drawings for this application - Number of Sheets - 4.

Respectfully submitted,

John V. Forcier
Attorney for the Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, Massachusetts 02110

Date: July 28, 2004
Reg. No. 42,545

Tel. No.: (617) 248-7675
Fax No.: (617) 248-7100

3099874




PATENT
Attorney Docket No. BSI-036
(354/73)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Marshik et al. CONFIRMATION NO.: 8628
APPLICATION NO.: 10/795,966 GROUP NO.: 3634
FILING DATE: March 8, 2004 EXAMINER: Not yet assigned
TITLE: Balance Shoe for Tilt-In Window Sashes

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 28th day of July, 2004.


Shawna Boudreau

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Fee Transmittal (1 pg.);
3. Transmittal of Formal Drawings (1 pg.);
4. Formal Drawings (4 pgs.);
5. Declaration and Power of Attorney (4 pgs.);
6. Patent Practitioners of Record Under 37 C.F.R. § 1.32(c)(3) (1 pg.);
7. Supplemental Application Data Sheet (3 pgs.);
8. Check in the Amount of \$1094.00;
9. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.); and
10. Return receipt postcard.

3099854